IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTH DAY OF DECEMBER

TWO THOUSAND AND SEVEN

:PRESENT:

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO : 24037 of 2005

Between:

K. Nagappa, S/o. Late Mallaiah, **..... PETITIONER**

AND

1. **State of Andhra Pradesh, Rep. by its Secretary to Government, legislative Affairs and Justice Law (LA & J) Department at Secretariat, Hyderabad,**
2. **The District Magistrate and District Collector, Ananthapur District, at Ananthapur,**
3. **The Additional District Judge, Hindupur, Ananthapur District,**
4. **K.C. Krishna Reddy, Advocate, Presently Additional Public Prosecutor,at Hindupur, Ananthapur District.**

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or Writs, Order or Direction, declaring the G.O.Rt.No. 1842, Law (LA & J Courts A2) Department dt. 28-10-2005, on the file of the First Respondent, as illegal, without jurisdiction, contrary to Sections 24 of Cr.P.C. and the Instructions issued by Government in G.O.Ms.No. 187 dt. 6-12-2000 and to consequently direct the first respondent to consider the name of one of the Advocates for appointment to the Post of Addl. Public Prosecutor in the Court of II Addl. Sessions Judge, Hindupur, as per the panel sent by the third Respondent, Award costs .

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support there of and upon hearing the arguments of Sri S. Sudeep Reddy, Advocate for the petitioner and of G.P.for Law for the Respondents 1 to 3and of Sri O. Manohar Reddy, Advocate for the Respondent No.4.

THE COURT MADE THE FOLLOWING ORDER

The writ petition was adjourned on seven occasions for counter of respondent No.1. Today, despite passing over the matter for 2.15 P.M. none appear for the respondents, nor counter is filed. The counter of respondent No.1 with reference to the GO is necessary to adjucate the lis involved in the writ

petition.

Hence, respondent No.1 is directed to file counter in a weeks time . Otherwise he has to appear before the Court in person on 18.12.2007 along with the record and defend the case.

Post on 18.12.2007."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

..2..

To

1. **The Secretary to Government, State of Andhra Pradesh, legislative Affairs and Justice aw (LA & J) Department at Secretariat, Hyderabad,**
   (BY SPECIAL MESSENGER)
2. **The District Magistrate and District Collector, Ananthapur District, at Ananthapur. (BY SPEED POST)**
3. **The Additional District Judge, Hindupur, Ananthapur District, (BY SPEED POST)**
4. **C. Krishna Reddy, Advocate, Presently Additional Public Prosecutor,at Hindupur, Ananthapur District.**
5. **One CC to Sri S. Sudeep Reddy, Advocate (OPUC)**
6. **Two CCs to the G.P for law, High Court of A.P., Hyderabad. (OUT) (SPECIAL MESSENGER)**
7. **One spare copy.**

RV

HIGH COURT

NVRJ

Dated 6.12.2007

Note: Post on 18.12.2007

ORDER

W.P.No. 24037 of 2005

Direction

HIGH COURT

RV

Dated 8.12.2007

NVRJ

Dated 6.12.2007

Note: Post on 18.12.2007

ORDER

W.P.No. 24037 of 2005

Direction